



STATE OF ALASKA
DEPARTMENT OF
COMMERCE
COMMUNITY AND
ECONOMIC DEVELOPMENT

Mike Dunleavy, Governor
Julie Anderson, Commissioner
Robert M. Pickett, Chairman

Regulatory Commission of Alaska

April 13, 2020

In reply refer to: Tariff Section
File: TA2-766
LO#: L2000157

Tony French
Northern Waste, LLC
1237 E. 66th Avenue
Anchorage, AK 99518

Dear Mr. French:

This letter is to inform you that the Regulatory Commission of Alaska (Commission) rejects the tariff revision of Northern Waste, LLC (Northern Waste) designated as TA2-766,¹ filed April 7, 2020, because it does not comply with the commercial filing requirements established by Order No. U-07-032(6)/U-07-033(5)/U-07-034(5)/U-07-035(5)/U-07-036(6).² That order requires commercial refuse utilities to:

1. Provide 30 days notice to the Commission for commercial refuse rates and charges filings, competitively bid special contracts, and commercial refuse hauling components of bundles including recycling.
2. Publish a public notice in a newspaper of general circulation no more than 3 days after the filing is made with the Commission and include a copy of the notice with the filing to the Commission. The public notice must be accurate, contain a general description of the tariff filing, be written in plain English, and alert consumers to the revisions that may affect either the rules or rates applicable to them. The notice must also provide: (1) the date the utility made (or will make) its tariff filing with the Commission; (2) the date the revisions will become effective; and (3) a statement that both the proposed revisions and the utility's current tariff are available for review at the utility's office for which the address, phone number, and office hours of the utility are given.
3. Ensure rates and charges for service are uniform within customer classes.

¹ The Commission may reject the filing of all or part of a tariff that does not comply with the agency's form and filing regulations. See AS 42.05.361(c). The current statutes and regulations can be found online at the following web address: <http://rca.alaska.gov/RCAWeb/AboutRCAIRCAStatutesAndRegulations.aspx>

² See Order No. U-07-032(6)/U-07-033(5)/U-07-034(5)/U-07-035(5)/U-07-036(6), issued October 16, 2007. In that order, the Commission approved a stipulation, which exempted commercial refuse service from economic regulation in the Matanuska-Susitna Borough, the Municipality of Anchorage, Girdwood, Whittier, the Kenai Peninsula Borough, and the Fairbanks North Star Borough. See Order No. U-07-032(6)/U-07-033(5)/U-07-034(5)/U-07-035(5)/U-07-036(6), issued October 16, 2007, page 6

4. Ensure that no customer receives an unreasonable preference or advantage or is subject to an unreasonable prejudice or disadvantage in the provision of refuse collection or disposal service.

Northern Waste's filing does not provide sufficient notice to the Commission. The filing was received by the Commission on April 7, 2020, with a requested effective date of May 1, 2020. In addition, the filing stated that the notice would be published in the Anchorage Daily News. However, there was no indication of what date the notice was going to be sent to the newspaper for publication. Therefore, there is no way for the Commission to verify that the notice was published within the stipulated timeframe, and to date there has been no publication of the notice by the Anchorage Daily News.

While typically the Commission would allow a utility a short period to correct filing deficiencies, the notice's failure to meet the guidelines approved by Order No. U-07-032(6)/U-07-033(5)/U-07-034(5)/U-07-035(5)/U-07-036(6) - in combination with the other issues identified by this letter order - create the situation where the deficiencies cannot be corrected without the issuance of a revised public notice and the submission of a new tariff filing. For reasons stated above, TA2-766 is rejected effective the date of this letter order.

Although this is not a matter for rejection, please note that the tariff sheet indicated in the filing was not enclosed.

BY DIRECTION OF THE COMMISSION

Sincerely,

REGULATORY COMMISSION OF ALASKA



Becki Alvey
Tariff Section Manager